

M E M O R A N D U M

**To:** Adriana Barbara, Cluster Manager  
Paso Robles Workforce Service site  
# 07201

**Date:** July 16, 2010

**File** 74:cg:45  
**No.:**

**From:** Ernesto Magaña  
Employment Development Department

**Subject:** **MONITOR ADVOCATE OFFICE ON-SITE ANNUAL REVIEW  
PROGRAM YEAR 2009-2010  
PASO ROBLES WORKFORCE SERVICE SITE  
FINAL MONITORING REPORT**

This Final Monitoring Report summarizes the California Monitor Advocate Office's (MAO) results of the Migrant and Seasonal Farmworkers (MSFW) on-site annual review of the Paso Robles Workforce Service (WS) site. Claudia Greenwood and Rebeca Guerra conducted this annual review from June 14 through June 17, 2010. We focused our annual on-site review on the full range of employment services, benefits, and protections, including the full range of job and training referral services, counseling, and testing provided to MSFW.

The MAO conducted this annual on-site review under the authority of all related federal regulation, including Title 20 of the Code of Federal Regulation (CFR), Chapter V, Parts 651, 653, and 658, applicable State laws, and Employment Development Department (EDD) JS policies and procedures. Specifically, Title 20 CFR, Part 653.108, requires the MAO to perform ongoing reviews of EDD services provided to MSFW.

We collected information for this report by examining the Paso Robles WS site's provision of services, job information sharing, job application taking process, outreach program operation, data collection, agricultural clearance order activity, and Job Service (JS) complaint system. Additionally, we interviewed Paso Robles WS site's management and staff.

We received your response to our Draft Report on July 12, 2010, and reviewed your comments and documentation before finalizing this report.

Our on-site annual monitoring review revealed the following finding:

**Finding 1:**                      **INDICATORS OF COMPLIANCE**

The Paso Robles WS site did not meet the Job Development Contacts (JDC) equity indicators in the July 2009 through May 2010 Indicators of Compliance (IOC) Report.

**Citation:**                      20 CFR 653.101 and CFR 653.108 (h) (5)

**Recommendation:**        The MAO recommended that the Paso Robles WS site ensure equity of services to MSFW by meeting the Indicators of Compliance such as JDC.

**Response:**                      The Paso Robles WS site's response (the response) stated that the IOC Report used by the MAO for this review reflects data for the San Luis Obispo and Paso Robles sites. Due to reduced staffing levels, EDD participation at the Paso Robles One-Stop Career Center was reduced to eight hours per week three years ago. Consequently, there is no data available to support WS staff services at the Paso Robles WS site.

Also, the response states that the IOC reports for the period of July 2009 through May 2010 show 13 JDCs conducted for non-MSFWs and zero JDCs conducted for MSFWs, thereby not meeting equity. An analysis was conducted for the period of July 2009 through May 2010 using the OR03i. These reports show a total cumulative of ten JDCs at the end of April. The OR03i does not show the client type. The system does not allow the local WS site to review the client record once it goes inactive (after 60 days).

Furthermore, the response states that through current and past analysis of these reporting issues, the Paso Robles WS site has learned that the IOC reporting is based on the responsible office assigned at the point of registration and this never changes. As a result, any services provided after registration are credited to the original office regardless of whether additional services are provided in another office throughout the State.

**Response (cont.):**

Based on the findings of its own analysis, the Paso Robles WS site conclude that the IOC report may not be the appropriate tool to determine if equitable services are being provided when looking at individual offices. However, they believe that the IOC provides a good representation of services being provided on a statewide basis. As a matter of fact, they point out that the Department meets all equity indicators, including JDCs.

The response states that WS staff is aware of the requirement of providing equitable services to all customers including all the MSFW population.

**Discussion:**

The EDD is required to submit quarterly reports to the U.S. Department of Labor (USDOL) on its statewide JS accomplishments. The IOC report is one of the required reports. The IOC report is used to assess parity of services to MSFWs and non-MSFWs because MSFWs are a special client group according to EDD policy. Consequently, each WS site is responsible for reviewing the IOC report on a monthly basis to check the equity indicators for compliance with EDD policy and federal reporting requirements.

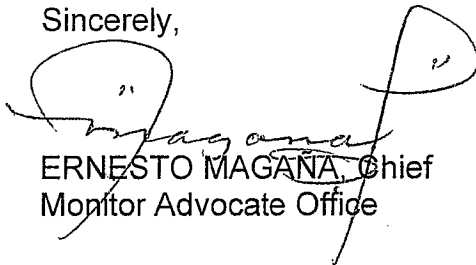
The MAO has oversight responsibility for the IOC report. Therefore, MAO staff use the IOC report as part of MAO annual programmatic review of designated WS offices. Informing each individual WS office whether or not they are meeting the equity indicators is a component of the MAO oversight responsibility. During the on-site review, MAO staff found no evidence that JDC were done for MSFWs.

All EDD CalJOBS<sup>SM</sup> reports, for compliance with federal mandated requirements, are produced by Workforce Service Branch (WSB) staff and derived from different WSB-managed databases. If there are discrepancies in data contained in different reports, WSB should make every effort to ensure the validity of the reports so that the data collected can be verified by USDOL and the MAO.

**Discussion (cont.):** The MAO will continue to work collaboratively with WSB to ensure that this is accomplished. The reporting of data contained in the IOC report is mandated by USDOL and supported by EDD policy. Therefore, if WSB considers that the IOC report is not the appropriate vehicle to report this data, we welcome WSB suggested policy alternatives for consideration while ensuring that EDD meets its federal mandated reporting requirements. The MAO supports the discussion of this issue and is committed to continue working with WSB staff and management to arrive at a reasonable alternative solution.

Please extend our appreciation to your staff for their cooperation and assistance during our review. If you have any questions, please contact Claudia Greenwood at (916) 654-6431.

Sincerely,



ERNESTO MAGANA, Chief  
Monitor Advocate Office

cc: Lucy Bumanglag  
Jose Luis Marquez  
Trina Martinez  
Robert Claudio  
Ray Vargas